

United States District Court

Western DISTRICT OF Texas

UNITED STATES OF AMERICA

V.

Rafael SANCHEZ Molina

CRIMINAL COMPLAINT

CASE NUMBER: 4:18-M-1574

I, the undersigned complainant, being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 10, 2018, in **Culberson County**, in the **Western District of Texas**, Defendant did and others aiding and abetting one another, knowingly and in reckless disregard of the fact that **eleven Guatemalan nationals, and 1 Mexican national** were alien to the United States and had not received prior authorization to come to, enter, or reside in the United States, brought to and attempted to bring to the United States in any manner whatsoever such aliens regardless of any official action which may later be taken with respect to such alien; in violation of **Title 8 United States Code, Section 1324(a)(2) and (a)(2)(B)(iii) and Title 18 United States Code, Section 2.**

I further state that I am a United States Immigration and Customs Enforcement Special Agent and that this complaint is based on the following facts:

See Attached Affidavit

Continued on the attached and made a part hereof: ☒ Yes ☐ No



Signature of Complainant
James Beagle, Special Agent

Sworn to before me and subscribed in my presence,

May 14, 2018

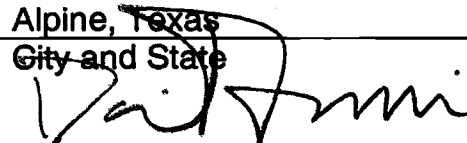
Date

David B. Fannin, U.S. Magistrate Judge

Name & Title of Judicial Officer

Alpine, Texas

City and State



Signature of Judicial Officer

Affidavit

On May 10, 2018, at approximately 5:30 p.m. Border Patrol Agent (BPA) Rolando Gonzalez, Andrew Gutierrez and Sergio Montelongo assigned to the Van Horn Border Patrol Station, located 12 subjects identified as Rafael SANCHEZ Molina, Juan AJIN Lastor, Carlos CHAVEZ Ramirez, Eli ESQUIT Xalix, Branzon GURGUI Mejia, Pedro JUAN Pablo, Lucas LORENZO Pascual, Tomas MEJIA Ordonez, Concepcion PERALTA Cardona, Carlos RAMIRES Zebastian, Joaquin REYNOSO Vasquez, Adolfo SIMALAJ Jacinto, Melvin TUCTUC Gonzalez. Eleven of the subjects were citizens of Guatemala and 1 subject was a citizen of Mexico. All the subjects did not have documentation to enter, pass through or reside in the United States.

All subjects were transported to the Van Horn Border Patrol Station (BP Van Horn). Special Agent (SA) Gregory McClain, HSI Presidio, was notified of a human smuggling attempt.

SA McClain interviewed Material Witness Carlos CHAVEZ Ramirez. CHAVEZ stated the he made arrangements with a smuggler and paid approximately \$2693 in Guatemala to be smuggled into the United States. CHAVEZ was to pay approximately \$3,366 when he arrived in the United States. CHAVEZ identified Rafael SANCHEZ Molina as the foot guide.

SA McClain interviewed Material Witness Eli ESQUIT Xalix. ESQUIT stated the he made arrangements with a smuggler and paid approximately \$2693 in Guatemala to be smuggled into the United States. ESQUIT identified Rafael SANCHEZ Molina as the foot guide.

SA McClain interviewed Rafael SANCHEZ Molina. SANCHEZ was read his Miranda rights in the Spanish language. SANCHEZ acknowledged in writing that he understood his rights and agreed to speak with law enforcement without the presence of an attorney. SANCHEZ admitted to being the foot guide for the group of undocumented aliens.

The AUSA office was advised of the above facts and authorized Federal Prosecution of SANCHEZ for violations of Title 8 USC 1324 Alien Smuggling and Title 18 USC 2 Aiding and Abetting. CHAVEZ and ESQUIT were held as material witnesses.

I make this affidavit based on my personal knowledge and information furnished to me by other law enforcement officers.